

MEMO ENDORSED



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January 24, 2019

VIA ECF

The Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

Re: *Binz, et al. v. Amadeus IT Group, S.A., et al.*, No. 1:15-cv-05457 (KPF)

Dear Judge Failla:

We represent Plaintiffs in the above-referenced action and write in response to Sabre's Letter Motion to Stay Expert Discovery (ECF No. 362). Sabre's request for a stay is unwarranted as it is based on a litigation posture that Sabre has known about for several months. On October 5, 2018, the Court entered an Order to allow this case to proceed to trial as an individual action and set a schedule for expert discovery, including the timeframe for expert depositions. ECF No. 323. Sabre did not object at the time. Indeed, it submitted that joint proposed expert discovery schedule. ECF No. 322. After Plaintiffs served the expert report of Dennis W. Carlton, Ph.D., the parties agreed on January 9, 2019, at Sabre's request, that Sabre would depose Dr. Carlton on February 6, 2019. Nothing has changed that necessitates a stay.

Plaintiffs will separately oppose Sabre's underlying motion to disqualify the firms appointed as Class Counsel. That motion is meritless because there is complete alignment between Class Counsel and Plaintiffs—both have been appointed to represent the Amadeus and Travelport Settlement Classes and both seek to fulfill those duties by pursuing injunctive claims against Sabre.

We remain available should Your Honor have any questions.

Respectfully,
/s/ Robert G. Eisler
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cc: All Counsel of Record (via ECF)

The Court is in receipt of Defendant Sabre's letter, dated January 18, 2019 (Dkt. #362), and Plaintiffs' reply thereto, dated January 24, 2019 (Dkt. #368). After carefully considering both letters, the Court ORDERS discovery to move forward, pending the possibility of further orders from the Court.

Dated: January 24, 2019
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE